IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1168 OF 2006
WITH
CRIMINAL APPEAL NO.453 OF 1999

OFFICE NOTES, OFFICE MEMORANDUM OF CORAM, APPEARANCES, COURT'S ORDERS OR DIRECTIONS AND REGISTRAR'S ORDERS	COURT'S OR JUDGES ORDERS

Shri Vivek Salunkhe holding for Shri P.B. Shah for the Applicants.
Shri D.P.Adsule, A.P.P for the State.

CORAM : A. S. OKA, J.
DATE : NOVEMBER 15, 2006.

P.C.:

1. Rule. The learned A.P.P waives service for the Respondents. Taken up for hearing forthwith. The Appeal filed by the Applicants against the conviction has been dismissed for non-removal of office objections. In view of the averments made in paragraph Nos.2 and 3 of the Application, a case is made out for condonation of delay and for restoration of the Appeal. It is stated in the Application that the objection raised by the office was the Applicant No.32 was dead. It is asserted in paragraph No.3 that the said Applicant had died during

pendency of the case in the Trial Court and hence, no sentence was passed against the said Applicant. Even in the memorandum of Appeal it is disclosed that Applicant No.32 was no longer alive. It is, therefore, obvious that the said objection does not survive.

2. Rule is accordingly made absolute in terms of prayer clauses (a), (b) and (c).

JUDGE